

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GEORGIA-PACIFIC CONSUMER)
PRODUCTS LP,)
FORT JAMES CORPORATION, and)
GEORGIA-PACIFIC LLC)
)
Plaintiffs,)
) **No: 1:11-cv-00483**
v.)
) **Judge Robert J. Jonker**
NCR CORPORATION,)
INTERNATIONAL PAPER CO.,)
and WEYERHAEUSER CO.,)
)
Defendants.)

PLAINTIFFS' MOTION FOR TELEPHONE STATUS CONFERENCE

Plaintiffs, Georgia-Pacific Consumer Products LP, Fort James Corporation and Georgia-Pacific LLC (collectively, "Georgia-Pacific"), by counsel, move the Court to schedule a brief telephone conference to discuss the status of this case. Georgia-Pacific states the following in support of this Motion:

1. At the conclusion of the argument on summary judgment motions on December 10, 2012, the Court solicited comment from the parties on possible alternatives to a trial on remaining liability issues on February 19, 2013. Counsel for all parties responded that they needed to consult with their clients. In addition, counsel for NCR raised a concern about not resolving up front whether its broke ever got to the Kalamazoo River mills. (Dec. 10 Transcript, pages 86-90).

2. Georgia-Pacific concluded that a discussion with the Court regarding how to structure trial of the liability phase would be helpful. However, it was difficult to provide

meaningful comment until the Court issued its decision on the pending motions and parties know what will and will not be left for trial on liability.

3. Given the demands on the Court's time from other cases, Georgia-Pacific is willing to adjourn the February 19 trial date until the Court has an opportunity to rule on the summary judgment motions and the parties can then reconvene to discuss with the Court how the trial should go forward.

4. Georgia-Pacific will be prepared if necessary to try on February 19 the complete case, or as much as is left of it after resolution of the summary judgment motions. However, preparation for a trial on all issues will involve substantial effort and expense. If there is a realistic chance that trial will not go forward on February 19, or that only limited issues will remain for trial after resolution of the summary judgment motions, Georgia-Pacific believes it would be desirable to have greater certainty before incurring this time and effort.

5. Georgia-Pacific is appreciative of any direction the Court is willing to provide the parties. In that regard, it believes that a brief telephone conference addressing these subjects is appropriate.

6. Georgia-Pacific has consulted with the defendants concerning this Motion. Defendant International Paper Company joins in this request for a conference call with the Court. Defendant NCR Corp. does not join in this request. Defendant Weyerhaeuser Company does not object to this request.

Dated: January 8, 2013

**GEORGIA-PACIFIC CONSUMER PRODUCTS,
LP., FORT JAMES CORPORATION, and
GEORGIA-PACIFIC LLC**

By: /s/ Joseph C. Kearfott

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CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2013, I electronically filed the foregoing using the ECF system, which will send notification of such filing by operation of the Court's electronic systems. Parties may access this filing via the Court's electronic system.

**GEORGIA-PACIFIC CONSUMER PRODUCTS,
LP., FORT JAMES CORPORATION, and
GEORGIA-PACIFIC LLC**

By: _____ /s/ Joseph C. Kefratt